

Superior Court of Washington, County of King

In the Guardianship of:

Respondent/s (*minors/children*)

No. _____

Motion for Default
(MTDFL)

Motion for Default

Important! The person making this motion must ask the court to sign the Order on Motion for Default either at a hearing or in the Ex Parte Department.

- By local rule, you may be required to notify the party you are asking to default that you intend to do so.
- If you don't have to notify the other side, you may ask the court to sign the Order "ex parte" (without the other party there).

1. My name is: _____.

2. Request

I ask the court to find (name): _____, who is a
[] parent or [] someone other than a parent who has court-ordered custody or
guardianship, in default, and to approve final orders in this case without that party's
participation because the s/he has not filed a *Response*.

3. Notice about the motion (*check one*):

[] I must give the person listed above a copy of this motion and advance notice of the
hearing because:

- s/he has filed a *Notice of Appearance* or appeared in this case in some other way,
OR
- it has been more than one year since s/he was served with the *Summons* and
Petition.

☐ I do **not** have to give the person listed above a copy of this motion and advance notice of the hearing because s/he:

- has **not** filed a *Notice of Appearance*,
- has **not** appeared in this case in any other way, AND
- was served with the *Summons* and *Petition* less than one year ago.

Note: Even if you do not have to notify the other party, you may choose to do so.

4. Service of Summons and Petition

The person listed above in section 2 was properly served on (date): _____ with a *Summons* and *Petition* for this case and any other documents listed in the proof of service filed with the court.

State (or foreign country) where the party was served: _____

☐ The person listed above in section 2 had to be served outside of Washington State because (explain):

5. Timing and type of service

The person listed above in section 2 was served with the *Summons* and *Petition* by (check one):

- ☐ personal service in Washington State, at least 21 days ago.
- ☐ personal service outside of Washington State, at least 61 days ago.
- ☐ mail, at least 91 days ago.

6. Correct Court (jurisdiction)

At the time this case was filed:

- ☐ the court has jurisdiction.
- ☐ the court does not have jurisdiction.

7. Active duty military

(The **federal** Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard or Reserve members under a call to active service for more than 30 days in a row; and
- commissioned corps of the Public Health Service and NOAA.

The **state** Service Members' Civil Relief Act covers those service members listed above who are either stationed in or residents of Washington state, and their dependents, except for the commissioned corps of the Public Health Service and NOAA.)

☐ The person listed in section 2 above is **not** covered by the state or federal Servicemembers Civil Relief Acts. I know this because (check all that apply):

☐ The attached report from the Defense Manpower Data Center (DMDC) shows his/her status. (*To get the report, visit the Defense Manpower Data Center website. You will need his/her birth date or social security number to search this website.*)

☐ I sent the person listed in section 2 above a *Notice to Military Dependent* (form FL All Family 103) to inform him/her of dependents' rights. This party did not respond within 20 days claiming to be a protected military dependent. Therefore, s/he should not be considered a protected military dependent.

The *Notice* was (*check one*): ☐ personally served on (*date*): _____

☐ mailed by first class mail on (*date*): _____

☐ I have personal knowledge of military or dependent status of the person listed in section 2 above (*explain*): _____

☐ Other (*explain*): _____

☐ The person listed in section 2 above **is covered** by the state and/or federal Servicemembers Civil Relief Act, but:

- ☐ s/he is represented by a lawyer in this case, AND
- ☐ s/he has not filed a Response, AND
- ☐ the court has not granted a stay (or any stay previously granted has ended).

☐ I **don't know** whether the person listed in section 2 is covered by the state and/or federal Servicemembers Civil Relief Act. I did the following things to try to find out: _____

8. Other (*specify*): _____

Person making this motion fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____



Person making this motion signs here

Print name here

Lawyer (if any) fills out below



Lawyer signs here

Print name and WSBA No.

Date